

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

THE TRANSPARENCY PROJECT,	§	
	§	
Plaintiff,	§	CIVIL ACTION No. 4:20CV468
	§	
v.	§	
	§	
U.S. DEPARTMENT OF JUSTICE,	§	JUDGE AMOS L. MAZZANT, III
	§	
Defendant.	§	

**STATUS REPORT**

Defendant, the United States Department of Justice (“DOJ”) and Plaintiff, The Transparency Project, jointly submit this status report.

**Defendant:**

Defendant continues to process the approximately 340 pages of records responsive to Plaintiff’s request pursuant to Plaintiff’s agreement to accept case summaries as reported to the Court in November 2020. Defendant has consulted approximately a dozen federal agencies and DOJ components, and a final determination cannot be made until those agencies and components provide a determination regarding their information contained within the records. Defendant anticipates consultation responses from some agencies and DOJ components by the end of June, which Defendant will promptly review. However, to the extent certain pages of records required consultation with more than one federal agency or DOJ component, Defendant must wait for all consultation responses before a final determination can be made for those certain pages. After completing consultations (the time of which is uncertain and depends in part on the

response times of other agencies and DOJ components), Defendant will finalize its processing and produce any non-exempt, responsive pages subject to the FOIA. Within 30 days of this filing, Defendant will provide Plaintiff with a status update regarding consultation responses and discuss a timeline to produce any non-exempt, responsive pages. The parties will provide a further status update to the Court 60 days from the date of this filing, on or before August 21, 2021.

**Plaintiff:**

The Plaintiff cannot agree to the Justice Department's request for an unspecified amount of additional time to produce 340 pages. The Plaintiff originally submitted its FOIA request on March 13, 2018, *i.e.*, more than three years ago. *See* First Amended Complaint (Doc. No. 7) 2, ¶5. The Justice Department completely ignored that FOIA request until after it got sued, filing its first answer (Doc. No. 5) on October 1, 2020. As the Court can see from the attached email correspondence (Exhibit 1) between Asst. U.S. Attorney Andrea Parker and Ty Clevenger, the Plaintiff agreed to accept short summaries of each responsive set of documents in order to expedite matters. When the Justice Department offered on November 10, 2020 to produce such summaries, *id.*, the Plaintiff was not informed that the summaries alone would take eight or more months for review and production. After more than three years of delay, the Plaintiff cannot accept more indefinite delays. If the Justice Department cannot produce the summaries within 45 days, then the Plaintiff intends to ask the Court to order rolling production of all responsive documents.

Respectfully submitted,

/s/ Ty Clevenger

TY CLEVINGER

Attorney at Law

P.O. Box 20753

Brooklyn, NY 11202-0753

Tel: (979) 985-5289

Fax: (979) 530-9523

Email: [tyclevenger@yahoo.com](mailto:tyclevenger@yahoo.com)

NICHOLAS J. GANJEI

ACTING UNITED STATES ATTORNEY

/s/ Andrea L. Parker (with permission)

ANDREA L. PARKER

Assistant United States Attorney

Texas Bar No. 00790851

550 Fannin St., Suite 1250

Beaumont, Texas 77701-2237

Tel: (409) 839-2538

Fax: (409) 839-2550

Email: [andrea.parker@usdoj.gov](mailto:andrea.parker@usdoj.gov)